

Paper No. 1523
Disposes of
Paper No. 1518

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al) ORDER
) GRANTING WITHDRAWAL
) FROM THE FILES OF
- vs -) THE TRIBUNAL OF
) COURT EXHIBITS
ARAKI, Sadao, et al) NOS. 3643 and 3654
)

This matter coming on to be heard this 21st day of January, 1948, before the Honorable Sir William Webb, President of the Tribunal, upon the application of the Accused TOGO, Shigenori, for leave to withdraw from the files of the Tribunal the original documents which were offered for identification only and marked Exhibit No. 3643 for Identification Only and Exhibit No. 3654 for Identification Only, said documents being fully described in said application which is Paper No. 1518, to the end that said documents may be returned forthwith to the Japanese Foreign Ministry from which they were secured;

And the Tribunal having heard the statements and arguments of counsel for said Accused and being fully advised in the premises, and it appearing to the Tribunal that said Exhibits Nos. 3643 for Identification Only and 3654 for Identification Only are required for carrying on the business of the Japanese Foreign Ministry, the source from which they

were obtained, and that no substantial injustice or prejudice to the rights of the Prosecution or the Accused, or any of them, will result from the withdrawal of said documents and their return to the source from which they were obtained; and it further appearing that the Prosecution has interposed no objection thereto, it is

ORDERED: That said application be and it is hereby granted; and it is further

ORDERED: That Court Exhibits Nos. 3643 for Identification Only and 3654 for Identification Only be withdrawn from the files of the Tribunal forthwith and returned to the Japanese Foreign Ministry, the source from which they were obtained, upon the express term and condition, however, that said documents shall be returned to the Tribunal upon request in the event that either the Tribunal or the Prosecution or the Defense should require them or either of them for the purpose of this trial; and it is further

ORDERED: That all excerpts from said Court Exhibits Nos. 3643 for Identification Only and 3654 for Identification Only which have been admitted into evidence shall remain in the files and records of the Tribunal, and that this order in no respect affects their present status.

BY THE TRIBUNAL:

(signed) W. F. Webb
PRESIDENT